UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,316	09/22/2000	Josef Zeevi	16356.549 (DC-02461)	1323

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EXAMINER
NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.		Applicant(s)	
Office Action Summary	09/668,316		ZEEVI ET AL.	
	Examiner		Art Unit	
	Qamrun Nahar		2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 February 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 September 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .   6)☐ Other: _____ .

DETAILED ACTION

1. This action is in response to the preliminary amendment filed on February 13, 2002.

2. Claims 1 and 9 have been amended.

3. Claims 1-22 are pending and have been examined.

Specification

4.   The disclosure is objected to because of the following informalities: the paragraph on

page 1, line 21 to page 2, line 2 is an exact replica of the previous paragraph on page 1, lines 17-

20. Please delete one of the paragraphs.

Appropriate correction is required.

Claim Objections

5.   Claim 16 is objected to because of the following informalities: the limitation "from to

the test module" on line 2 of the claim should be "from the program to the test module".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Perugini (U.S.

5,896,494).

Per Claim 1:

The Perugini patent discloses:

- **a method performed by a computer system** ("The present invention disclosed and claimed

herein comprises a diagnostic application for, operation on a computer system ... The diagnostic

application is comprised of a front end module and several tiers of lower level modules." in

column 1, lines 57-64)

- **providing a test module** ("At the lowest level are a plurality of diagnostic library modules

(DLs) which function to interact with the hardware and software to provide identification and

diagnostic information back to the front end." in column 1, line 67 to column 2, lines 1-3)

- **detecting a test module interface associated with the test module** ("The front end module is

responsible for interacting with a user and communicating with the lower level modules to

initiate processes ... The front end issues commands to the DLs to load and initialize. In

response, the DLs provide device, test and parameter information to a test engine." in column 1,

lines 64-67 and column 2, lines 14-21)

- **calling a function identified by the test module interface to cause a first test configuration of the test module to be created** ("A test definition tool is provided to develop tests without using programming or scripts. The tool presents a graphical test development environment which allows test personnel to easily create tests with a bill of materials. To create a set of tests, the personnel simply drag a device test from an available list to a station profile list. Tests can be enabled/disabled and parameters can be modified. When a file is saved in the test definition tool, a test definition file is compiled and saved. The test definition file is directly readable by the diagnostic application." in column 2, lines 28-40).

Per Claim 2:

The Perugini patent discloses:

- **detecting a test routine associated with the test module using the first test configuration; and causing the test routine to be executed** (column 13, lines 3-24; column 14, lines 13-15; and column 15, lines 32-34).

Per Claim 3:

The Perugini patent discloses:

- **loading the test module; detecting a device associated with the test module; and in response to detecting the device, creating the test module interface** (column 14, lines 60-67 to column 15, lines 1-5).

Per Claim 4:

The Perugini patent discloses:

- detecting a change associated with the device; and in response to detecting the change,
reinstalling the test module interface associated with the test module (column 15, lines 18-
34).

Per Claim 5:

The Perugini patent discloses:

- in response to detecting the change, calling the function to cause a second test
configuration of the test module to be created (column 13, lines 29-67 to column 14, lines 1-
31; and column 15, lines 25-34).

Per Claim 6:

The Perugini patent discloses:

- registering a use of the test module by a program (column 15, lines 6-17).

Per Claim 7:

The Perugini patent discloses:

- unloading the test module; and informing the program of the unloading prior to

unloading the test module (column 15, lines 50-58).

Per Claim 8:

The Perugini patent discloses:

- conveying a defer signal from the program to the test module; and in response to the

defer signal, canceling the unloading of the test module (column 15, lines 50-58).

Per Claims 9-16:

These are system versions of the claimed method discussed above (claims 1-8,

respectively), wherein all claim limitations also have been addressed and/or covered in cited

areas as set forth above. Thus, accordingly, these claims are also anticipated by Perugini.

Per Claims 17 & 22:

These are another versions of the claimed system discussed above (claims 9 and 14),

wherein all claim limitations also have been addressed and/or covered in cited areas as set forth

above. Thus, accordingly, these claims are also anticipated by Perugini.

Per Claim 18:

The Perugini patent discloses:

- **wherein the first function is executable by the processor to cause an entry associated with the first program to be stored in the memory** (column 15, lines 6-10).

Per Claim 19:

The Perugini patent discloses:

- **wherein the entry includes a first identifier associated with the first program, a second identifier associated with the interface, and a third identifier associated with a second function** (column 15, lines 6-17).

Per Claims 20-21:

These are another versions of the claimed system discussed above (claims 15-16, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Perugini.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9.   Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699. The examiner can normally be

reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be

reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the

organization where this application or processing is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

QN
April 3, 2003

KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100